



Licensing Board
TOWN OF WATERTOWN
ADMINISTRATION BUILDING
149 Main Street
Watertown, Massachusetts 02472

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BOARD MEMBERS
DONNA B. DOUCETTE
GEORGE B. NEWMAN
ROBERT J. WHITNEY

ALTERNATE MEMBER
SANDRA KASABIAN HOFFMAN

Minutes December 19, 2013

1. ACCEPTANCE OF MINUTES: November 21, 2013
2. Guckenheimer Services, LLC
Formerly Guckenheimer Enterprises, Inc.
400 North Beacon Street
New Common Victualler
Approved 3-0
3. New Ginza Restaurant Corp.
63-65 Galen Street
Change of Manager
Approved 3-0
4. Antoin Akl & Ashley Akl d/b/a First Class Livery
32 Madison Avenue
Livery/Limousine License
Approved 3-0
5. Celil Bayram d/b/a Lamazi Limousine
121 Warren Street #11, Spot 100
Livery/Limousine License
Approved 3-0
6. Luis Alonso Flores d/b/a
Acapulco Mexican Restaurant
45 Lexington Street
Status Hearing
No further action required
7. New Rotary Grille, Inc.
d/b/a Verona Restaurant
18 Mt. Auburn Street
Status Hearing
Continued to January 16, 2014
8. MJLK, Inc. d/b/a 21 Nickels
21 Nichols Ave.
a. Show Cause
b. Show Cause
Continued to January 16, 2014
Continued to January 16, 2014

9. Renewals: 93 Common Victualler (including closed below)
26 All Alcohol Common Victualler (including closed below)
7 All Alcohol Package Goods
9 All Alcohol Club
7 Wine & Malt Common Victualler (including closed below)
7 Wine & Malt Package Goods
3 24-Hour Opening
3 Sale of Food at Retail
17 Entertainment License 6 Day
8 Automatic Amusement Device
3 Music Box
8 Class I Auto Dealer
14 Class II Auto Dealer
- 4 Closed 21Nichols
Verona Restaurant
Acapulco Mexican Restaurant
Raider Tavern approved 9/20/13 by ABCC not open renovating
Approved all above 3-0
10. Comments by Board Clerk and Police Department

Present: Donna B. Doucette, Robert J. Whitney, George B. Newman, Sandra Kasabian Hoffman

1. Minutes from the November 21, 2013 hearing were approved by the Licensing Board.
2. Guckenheimer Services, LLC
3 Lagoon Drive, Suite 325
Redwood Shores, CA 94065
Attention: Cathy MA

The Watertown Licensing Board met to consider the application of Guckenheimer Services, LLC for a common victualler license to be exercised at 400 North Beacon Street.

A representative of the applicant, Mr. Katyapar, appeared in support of the application. Mr. Katyapar introduced himself as a relief chef employed by the applicant, and stated that he had been asked to present the application by Mr. Michael Thibault, the chef manager. He explained that the food service operation is a café for employees of Athena Health, which has offices at the stated location. The café will not be open to the public. Mr. Katyapar stated that there are occasions when Athena Health conducts nighttime functions, for which catering service is required and that the café would need to operate at those times to support the functions.

In response to a question from the Board, Mr. Katyapar stated that Guckenheimer has places of operation throughout the United States, and that there is a sister operation in Belfast, Maine.

The Health Department had no comment at this time.

The Fire Department and Zoning Officer had no comment.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to grant a common victualler license, subject to the following conditions:

1. The hours of operation shall be 7:30 a.m. to 2:30 p.m. Monday through Friday. (Any additional hours shall be only as necessary to provide catering services for Athena Health corporate events.)
 2. The seating capacity, within the described common area, shall not exceed 62 seats.
 3. There shall be no alcoholic beverages on the licensed premises.
3. New Ginza Restaurant Corp.
63-65 Galen Street
Watertown, MA 02472

On December 19, 2013, the Watertown Licensing Board met to consider the application of New Ginza Restaurant Corp. for approval of a change of manager of its premises at 63-65 Galen Street licensed for all alcohol common victualler service.

Joanna Chen, the proposed manager, appeared in support of the application. Ms. Chen stated that she has been working at the restaurant, assisting with operations, for ten years. She will be taking over for the former manager, who has left the licensee's employ. Ms. Chen confirmed that she is TIPS certified and submitted a copy of her certification to Sgt. Grady.

The Health Department reported that the license holder must contact the department to update its current application record to reflect the change in manager.

Sergeant Grady stated that the Police Department had no objection to the change of manager, provided that the conditions stated below were imposed

The Licensing Board voted unanimously to approve the change of manager, subject to the following conditions:

1. The new manager, Joanna Chen, shall ensure that all bartenders and servers of alcohol attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification; and copies of all certifications shall be filed with the Town Clerk's office.
2. All existing conditions of the license shall remain in place.
4. Antoin Akl and Ashley Akl
d/b/a First Class Livery
32 Madison Avenue
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Antoin Akl and Ashley Akl d/b/a First Class Livery for a livery/limousine license to be exercised from 32 Madison Avenue, Watertown.

Antoin and Ashley Akl appeared in support of the application. Ashley Akl stated that the couple proposes to operate a simple livery service, to provide an affordable livery option for the Watertown area. Antoin previously worked in a taxi business with his brother, in Lebanon. They have experience operating a 15-passenger van in Michigan. The livery vehicle will be a 2013 Honda CRV.

A letter of permission from the property owner, for parking at the proposed location, was read into the record.

Sgt. Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Health Department, Building Department, and Fire Department had no comment.

The Zoning Officer reported that the subject property is located in the S-6 residential zoning district, and that the proposed use is allowed as a home office use with parking of one company/business vehicle which is less than $\frac{3}{4}$ ton capacity.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The license shall be limited to pre-arranged transportation of persons rather than on-the-street pick up of persons.
 2. The licensee shall maintain a current motor vehicle driving record of all employees hired as a driver of any motor vehicle to be used in connection with the license.
 3. If any driver for the licensee is cited for more than three moving violations or is involved in more than one surchargeable accident in a 12-month period, he/she shall be required, within 90 days of exceeding those limits, to attend a defensive driving training course.
 4. The licensee shall keep all records on file and they shall be made available for review by any agent of the Licensing Board.
 5. The license is for one vehicle, to be parked at 32 Madison Avenue, as shown on the photograph received in the office of the Town Clerk on October 24, 2013.
5. Celil Bayram
d/b/a Lamazi Limousine
121 Warren Street, Apt. #11
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Celil Bayram d/b/a Lamazi Limousine for a livery/limousine license to be exercised from 121 Warren Street, Apt. #11, Watertown.

Mr. Bayram appeared in support of the application. Mr. Bayram explained that he desires to start his own business. He has 10 years' experience in the VIP car business. He stated that the proposed business would service mostly the financial district of Boston. He will also be working with the Uber car service, an internet based service. The livery vehicle will be a 2010 GMC Denali.

In response to a question from the Board, Mr. Bayram stated that the designated parking space is his own space.

Sgt. Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Health Department, Building Department, and Fire Department had no comment.

The Zoning Officer reported that the subject property is located in the R.75 residential zoning district, and that the proposed use is allowed as a home office use with parking of one company/business vehicle which is less than ¾ ton capacity

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The license shall be limited to pre-arranged transportation of persons rather than on-the-street pick up of persons.

2. The licensee shall maintain a current motor vehicle driving record of all employees hired as a driver of any motor vehicle to be used in connection with the license.
 3. If any driver for the licensee is cited for more than three moving violations or is involved in more than one surchargeable accident in a 12-month period, he/she shall be required, within 90 days of exceeding those limits, to attend a defensive driving training course.
 1. The licensee shall keep all records on file and they shall be made available for review by any agent of the Licensing Board.
 2. The license is for one vehicle, to be parked at 121 Warren Street, space #100, as shown on the photograph received in the office of the Town Clerk on October 25, 2013.
6. Luis Alonso Flores
d/b/a Acapulco Mexican Restaurant
45 Lexington Street
Watertown, MA 02472

The Watertown Licensing Board held a status hearing concerning Luis Alonso Flores d/b/a Acapulco Mexican Restaurant, holder of a wine and malt common victualler license issued for exercise at 45 Lexington Street. The status hearing followed the issuance of a letter of warning after a show cause hearing held on November 21, 2013 for failure to comply with the Board's Rules and Regulations regarding the closure of the licensed premises.

Luis Alonso Flores appeared on behalf of the licensee. He reported that the prospective offer to purchase the business he had described on November 21 had not been made. An offer received for sale of the license only was not acceptable to him. He is currently operating the restaurant.

Board chairman Doucette stated that the licensee must notify the Licensing Board if the premises will be closed for more than two days. She also stated that she found the license to be in good operating order and that no further action was required at this time. The other Board members agreed.

7. New Rotary Grille, Inc.
d/b/a Verona Restaurant
c/o Agostino Farese
20 Fayette Street
Watertown, MA 02472

The Watertown Licensing Board held a status hearing regarding New Rotary Grille, Inc. d/b/a Verona Restaurant, holder of an all alcohol common victualler license issued for exercise at 18 Mount Auburn Street. The status hearing followed a show cause hearing concluded on November 21, 2013 and concerning the closure of the licensed premises.

Attorney Bernard Shadray appeared on behalf of the licensee. He stated that the licensee had entered into an agreement for transfer of the business and that a lease for the subject property had been executed. While he stated that a transfer application had been submitted, Board clerk Donna Gill noted that the application submitted was incomplete and not properly completed. Attorney Shadray responded that he could contact the buyer's attorney regarding completion of the application.

Board chairman Doucette stated that under the circumstances the Board should continue the status hearing to January 16, 2014, and could renew the license for 2014 on a provisional basis subject to revocation if a transfer is not completed within the first quarter of 2014. The other members agreed.

The Licensing Board voted to continue the matter to January 16, 2014 for a further status hearing.

The status hearing will be held on January 16, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

8a. MJLK, Inc.
d/b/a 21 Nickels
c/o Michael J. Moran
67 Burton Street
Brighton, MA 02135

The Watertown Licensing Board held a continued session of a show cause hearing on the matter of the closure of your premises at 21 Nichols Avenue licensed for all alcohol common victualler service and the failure to comply with the conditions of the Board's approval of that closure. The matter had been continued from June 20, July 18, August 15, September 19, October 17 and November 21, 2013, and the proceedings from the sessions held on those dates are described in the Board's Notices of Action and Continuance dated July 10, August 7, August 23, October 4, November 1 and December 2, 2013.

Attorney Paul Rufo appeared on behalf of the licensee, together with Michael Moran, president. Attorney Rufo presented a letter to the Board dated December 19, 2013. That letter described the licensee's efforts in finding a purchaser for the restaurant business, and stated that the licensee has received a written for both the real estate and alcohol license from a local business person. He requested that the license be renewed for 2014 and that the Board permit the premises to remain closed for up to another six months, through June 30, 2014. He noted that there is also another local business person with food service industry experience who has expressed interest in the license: Aysha Gurdal, who works at Formaggio Kitchen and Sofia bakery/restaurant in Cambridge. However, her end-of-year business requirements have precluded further substantive discussion at this time.

Mr. Moran stated that the purchase offer had been received only a few days prior and that he had not yet fully reviewed it.

Board chairman Doucette stated that the Licensing Board had been more than generous in accommodating the timetable of the licensee in its efforts to arrange for a transfer of the license, but that there has not yet been any actual, firm progress. She expressed her concern that the Board could not treat the licensee so significantly differently from other license holders, and stated that a six month extension for closure of the premises was too long. Chairman Doucette added that the Board could renew the license, but subject to a quick resolution of the transfer efforts. She recommended that the Board continue the matter for a status hearing on January 16, 2014, and the other members agreed.

The Licensing Board voted to continue the matter to January 16, 2014.

The continued hearing will be held on January 16, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

8b. MJLK, Inc.
d/b/a 21 Nickels
c/o Michael J. Moran
67 Burton Street
Brighton, MA 02135

The Watertown Licensing Board has continued the show cause hearing concerning a violation of Section IV.C.1.b of the Rules and Regulations of the Watertown Licensing Board, which requires that a restaurant authorized to sell alcohol on Sundays submit an annual report, by May 1 of each year, confirming that the licensed establishment derives 60% or more of its gross revenues from the sale of food, to wit: failure to submit an annual report for 2012. The matter had previously been continued from June 20, July 18, August 15, September 19, October 17 and November 21, 2013, and the proceedings from the sessions held on those dates are described in the Board's Notices of Action and Continuance dated July 10, August 7, August 23, October 4, and November 1, 2013 and the Notice of Continuance dated December 2, 2013.

The continued hearing will be held on January 16, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

9. The Licensing Board voted unanimously to approve the following renewals for 2014:

Renewals: 93 Common Victualler (including closed below)
26 All Alcohol Common Victualler (including closed below)
7 All Alcohol Package Goods
9 All Alcohol Club
7 Wine & Malt Common Victualler (including closed below)
7 Wine & Malt Package Goods
3 24-Hour Opening
3 Sale of Food at Retail
17 Entertainment License 6 Day
8 Automatic Amusement Device
3 Music Box
8 Class I Auto Dealer
14 Class II Auto Dealer

Closed 21 Nichols
Verona Restaurant
Raider Tavern Renovating